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P.02

DOCKET NO. HRT0293

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John H. Stevens, et al.

Serial No.: 10/099,690

Art Unit: 3738

Filed : March 15, 2002

Examiner: David J. Isabella

For : METHOD AND APPARATUS FOR THORACOSCOPIC INTRACARDIAC PROCEDURES

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CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

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JUN 23 2005

/Brian S. Tomko/

Brian S. Tomko, Reg No. 41,349  
(Name of Registered Representative)

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant(s) hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated December 23, 2004 finally rejecting Claims 38-45, 47-64 and 66-73 of the above-identified application.

The item(s) checked below are appropriate:

1.  An extension of time to respond to the final rejection was granted on month(s).
2.  A Petition For Extension Of Time of three months under 37 CFR 1.136 is attached hereto.
3.  A timely response to the final rejection has been filed.
4.  Fee \$500.00: for filing of Notice of Appeal  
 Not required (fee paid in prior appeal)  
 Charge to Deposit Account No. 10-0750/HRT0293/BST.  
 The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment in connection herewith to Deposit Account No. 10-0750/HRT0293/BST.

06/27/2005 SMINASS1 00000010 100750 10099690

Respectfully submitted,

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Date: June 23, 2005

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JUN 23 2005

FACSIMILE TRANSMISSIONS COVERSHEET

DATE: 6/23/05

TO: Examiner D. Isabella

COMPANY: PTO

FACSIMILE NO.: 703-872-9306

FROM: Brian S. Tomko

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Re: USSN 10/099,690

Extension of Time: 1 page  
Notice of Appeal: 1 page

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